

1 KEVIN V. RYAN, SBN 118321  
United States Attorney  
2 JOANN M. SWANSON, SBN 88143  
Assistant United States Attorney  
3 Chief, Civil Division  
SARA WINSLOW, DCBN 457643  
4 Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102  
6 Telephone: (415) 436-7260  
Facsimile: (415) 436-7169  
7

8 Attorneys for Defendant

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN JOSE DIVISION

12 JAMES JAMESON,	)	*E-FILED - 1/11/06*
13 Plaintiff,	)	CIVIL NO. 04-00609 RMW
14 v.	)	STIPULATION AND ORDER
15 JO ANNE B. BARNHART,	)	APPROVING COMPROMISE
Commissioner of Social Security,	)	SETTLEMENT OF ATTORNEY
16 Defendant.	)	FEES PURSUANT TO THE EQUAL
	)	<u>ACCESS TO JUSTICE ACT</u>

17  
18 The plaintiff's attorney having met the criteria of L.R. 54-5, by meeting and conferring with  
19 defendant, IT IS HEREBY STIPULATED by and between the parties through their undersigned  
20 counsel, subject to approval by the Court, that plaintiff's attorney receive the following payment:

21 1. Defendant shall pay FOUR THOUSAND FIVE HUNDRED DOLLARS (\$4,500.00),  
22 pursuant to the Equal Access to Justice Act (EAJA), for attorney fees incurred in this court action. <sup>1</sup>

23 The check is to be payable to plaintiff's counsel:

24 TOM WEATHERED  
999 16TH ST., #7  
25 SAN FRANCISCO, CA 94107  
(415) 865-0399; FAX 0305  
26 tweathered@covad.net

27 2. This is a settlement of plaintiff's request for attorney fees pursuant to EAJA, and does not  
28 constitute an admission of liability or fault on the part of defendant under the Equal Access to Justice

---

1/. This amount includes costs.

1 Act.

2 3. Payment of the FOUR THOUSAND FIVE HUNDRED DOLLARS (\$4,500.00) EAJA  
3 fees incurred in this court action, will constitute a complete release from and bar to any and all  
4 claims, rights, causes of action, liens or subrogated interests relating to attorney fees pursuant to the  
5 EAJA as a result of this court action.

6  
7  
8 Dated: December 20, 2005

/s/  
TOM WEATHERED  
Attorney for Plaintiff

11 KEVIN V. RYAN  
12 United States Attorney

13  
14 Dated: December 27, 2005

By: /s/  
SARA WINSLOW  
Assistant United States Attorney

17 PURSUANT TO STIPULATION, IT IS SO ORDERED:  
18  
19  
20

21 Dated: 1/10/06

/S/ RONALD M. WHYTE  
RONALD M. WHYTE  
United States District Judge